

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

WP(C).No. 32975 of 2007(A)

OS.371/1987 of MUNSIF COURT, PERUMBAVOOR

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PETITIONERS:

1. NARENDRANADHAN NAIR,
NEPHEW OF VELAYUDHAN NAIR,
THEKKEPALAI HOUSE, PUNNAYAM KARA,
ASAMANNOOR VILLAGE.
2. VIJAYAN NAIR, THEKKEPALALI HOUSE,
PUNNAYAM KARA, ASAMANNOOR VILLAGE.

BY ADV. SRI.RAJESH VIJAYAN

RESPONDENT:

ASAMANNOOR GRAMA PANCHAYATH
REP. BY ITS EXECUTIVE OFFICER
(SECRETARY) ASAMANNOOR - 683 549.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

M.N.Krishnan, J.

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W.P(C).No.32975 of 2007

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Dated this the 7th day of November, 2007.

JUDGMENT

This Writ Petition is filed against the order of the Munsiff, Perumbavoor to refuse to refer the question raised by the writ petitioner under Section 113 of C.P.C. Section 113 of C.P.C. mandates that the court where the matter is pending has to be satisfied that a reference is necessary. A perusal of the order would show that there is no such satisfaction for the court below. Therefore, the court was right in refusing reference. Therefore, there is nothing to interfere with the said order and hence, the Writ Petition is dismissed, however with liberty to the writ petitioner to approach the appropriate forum in accordance with law.

M.N.Krishnan,
Judge.

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